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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,221	02/17/2004	Thomas Stoffel	7316/103	9465

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EXAMINER

DEXTER, CLARK F

ART UNIT PAPER NUMBER

3724

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/780,221

Applicant(s)

STOFFEL, THOMAS

Examiner

Clark F. Dexter

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-20 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **QUAYLE ACTION**

1. The amendment filed on September 7, 2006 has been entered.

#### ***Drawings***

2. The drawings are objected to because of the following informalties:

In Figure 2, --46a-- should be added to indicate the abutment surface of lip 46.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

3. The disclosure is objected to because of the following informalities:

In the replacement paragraph for page 5, lines 8-12 filed on September 7, 2006, the paragraph should be rewritten as follows for clarity:

-- In the preferred form shown, each lip 46 includes an abutment surface 46a, the abutment surface 46a having three threaded, securement openings 48 each located intermediate a pair of threaded, adjustment openings 50 extending in a spaced parallel relation relative to each other and to openings 48. Adjustment devices 52 shown in the preferred form as set screws are threadably received in each opening 50.--.

Appropriate correction is required.

***Claim Objections***

4. Claims 1-20 are objected to, and the following changes should be made to further clarify the claimed invention:

Claim 1 should be rewritten as follows:

-- Claim 1 (currently amended): An insert received ~~for receipt~~ in a blade opening of a table of a cutting tool, with the insert comprising:

a table insert portion having an outer periphery of a shape corresponding to the blade opening, with the table insert portion further including an upper surface and a lower surface, with the table insert portion having a passage extending from the upper surface through the lower surface; and

a kerf insert portion formed of cuttable material, with the kerf insert portion removably received ~~having a size and shape adapted to fit in the passage,~~ with the kerf insert portion having an upper surface, with the kerf insert portion being insertable into the passage by movement perpendicular to the upper surface of the table insert portion and the upper surface of the kerf insert portion, and adjustment structure to adjust the height of the upper surface of the kerf insert structure relative to the upper surface of the table insert structure so that ~~being adjustably held inside of the passage with the upper surface of the kerf insert portion is~~ being planar with the upper surface of the table insert portion.--.

Claims 6-9 should be rewritten as follows:

-- Claim 6 (currently amended): The insert of claim 4 with the lip having an abutment surface for abutting with the kerf insert portion received in the passage, ~~with the kerf insert portion being adjustably positioned in the passage by~~ and the adjustment structure spacing the kerf insert portion from the abutment surface.

Claim 7 (currently amended): The insert of claim 6 with the ~~kerf insert portion being adjustably positioned in the passage by~~ adjustment structure devices being mounted to the lip and abutting with the kerf insert portion adjacent to the holding screws.

Claim 8 (currently amended): The insert of claim 7 with the adjustment structure devices comprising at least one set screw threadably received in the lip adjacent each holding screw.

Claim 9 (currently amended): The insert of claim 7 with the adjustment structure devices comprising a pair of set screws threadably received in the lip on diametrically opposite sides of each holding screw.--.

Claims 18-20 should be rewritten as follows:

-- Claim 18 (currently amended): The insert of claim 1 with the passage being stepped and including a lip extending from sides of the passage, with the lip having an abutment surface for abutting with the kerf insert portion received in the passage, with the kerf insert portion being held by being attached to the lip, and with the ~~kerf insert portion being adjustably positioned in the passage by~~ adjustment structure spacing the kerf insert portion from the abutment surface.

Claim 19 (currently amended): The insert of claim 18 with the ~~kerf insert portion being adjustably positioned in the passage by~~ adjustment structure devices being mounted to the lip and abutting with the kerf insert portion.

Claim 20 (currently amended): The insert of claim 19 with the adjustment structure devices comprising at least one set screw threadably received in the lip.--.

Appropriate correction is required.

***Allowable Subject Matter***

5. Claims 1-20 are allowable over the prior art of record.

***Conclusion***

6. This application is in condition for allowance except for the formal matters described above. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (571)272-4505. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571)272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3724

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**Clark F. Dexter**  
**Primary Examiner**  
**Art Unit 3724**

cf  
November 27, 2006